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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CHIQUITA FRESH, N.A., L.L.C., et al.

Plaintiffs

v.

SAMMY'S PRODUCE, INC., et al

Defendants

Civil Action No: 3:08-cv-00714

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiffs Chiquita Fresh, N.A., LLC and Andrew & Williamson Sale Co., Inc., and Defendants Sammy's Produce, Inc., Yan Skwara, Samuel V. Nucci and Darin Pines, by and through their undersigned counsel, hereby stipulate to a dismissal this case with prejudice, with each party to bear its own costs.

STIPULATED BY THE PARTIES:

Dated: May 13, 2008

McCARRON & DIESS

By: 

Louis W. Diess, III

4900 Massachusetts Ave., N.W.  
Suite 310

ON BEHALF  
OF LOUIS W. DIESS  
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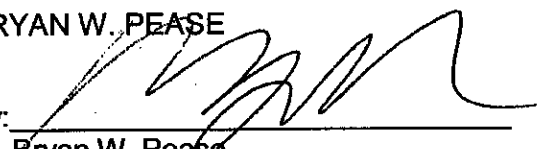
Dated: May 13, 2008

By: /s/ Leonard Ackerman  
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Dated: May 13, 2008

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